

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
10000 N. EL MIRAGE ROAD
6:00 PM – TUESDAY, FEBRUARY 7, 2017**

Minutes

I. ROLL CALL

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilmember Roy Delgado, Councilmember Bob Jones, Councilmember Lynn Selby, Councilmember David Shapera. **By Phone:** Councilmember Jack Palladino

II. CALL TO ORDER

The meeting was called to order at 6:00 pm.
Pledge of Allegiance

III. CALL TO THE PUBLIC

Citizens desiring to speak on a matter that IS NOT on this agenda may do so at this time. Comments shall be limited to three (3) minutes per person and shall be addressed to the City Council as a whole. At the conclusion of the Call to the Public, individual City Council Members may (1) respond to criticism made by those who have spoken (2) direct staff to review or respond to the matter, and/or (3) direct that the matter be put on a future agenda.

No Public Comment Cards were received.

IV. CONSENT AGENDA

All items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda Item, that item will be removed from the Consent Agenda and voted on separately.

1. Consideration and action approving the minutes of the Regular Council Meeting held Tuesday, January 17, 2017. (City Clerk)
2. Consideration and action to accept grant funds, if awarded, from GOHS in an amount not to exceed \$50,000 for the purchase of a work safety enforcement vehicle. (Police)

Vice Mayor Ramirez moved to approve Consent Agenda Item 2 as presented; seconded by Councilor Jones. Motion carried unanimously (7/0).

Councilor Delgado requested the minutes be changed regarding his report under “Mayor’s Comments and Council Summary of Current Events” to read: “The City of

El Mirage Branch Library has had 686 users with circulation up 6%” (rather than “the Library District”).

Vice Mayor Ramirez moved to approve Consent Agenda Item 1 with corrections as presented; seconded by Councilor Delgado. Motion carried unanimously (7/0).

V. REGULAR AGENDA

- A. Consideration and action to approve Ordinance O17-02-01 amending City Code Chapter 76 - TRAFFIC SCHEDULES to reduce the speed limit on Thompson Ranch Road from 40 to 35 mph to be in compliance with Arizona Revised Statutes (A.R.S.) Section §28-703. (Police)

Police Chief Terry McDonald explained he was recently made aware that the speed limits along Thompson Ranch Road did not comply with the Arizona Revised Statutes. A.R.S. Section §28-703 states the drop in speed limits is limited to 10 mph with the exception of areas approaching school crosswalks. There is no cross walk in this area so to bring the speed limit change into compliance he recommends dropping the speed limit from 40 mph to 35 mph going north and south approaching the school. This also matches the speed limit for Thompson Ranch Road to the north and south of this area.

Councilor Shapera asked if an Engineering Study has been done and Chief McDonald stated the Arizona Revised Statutes requires not more than a 10 mph difference to a speed limit. Councilor Shapera stated he thought he had seen notes referring to a speed study.

Dr. Spencer Isom clarified that this location is in response to interactions with the Court regarding the change in speed. He supported this change with the backup information presented and City Engineer Jorge Gastelum explained an engineering investigation was done pursuant to City Code and this change was needed to comply with state statutes. Mr. Gastelum stated because there is not a school crosswalk in this area, a formal speed study was not required, and the City is complying with MUTCD specifications.

Mayor Mook stated her belief that the Council, Staff and Police Department are working to reduce speeds around schools and even if this was not a requirement, she believes the change would be a positive action to take.

Vice Mayor Ramirez moved to approve Ordinance O17-02-01 amending City Code Chapter 76 – TRAFFIC SCHEDULES to reduce the speed limit on Thompson Ranch Road from 40 to 35 mph to be in compliance with Arizona Revised Statutes, Section §28-703; seconded by Councilor Delgado. Motion carried unanimously (7/0).

- B. Consideration and action to approve Resolution R17-02-04 amending that certain document of the City Code titled "CHAPTER §71: TRAFFIC CONTROL by adding Section §71.16 PARKING VIOLATIONS and declaring the Resolution and additional section included in Exhibit "A" as a public record for publishing per A.R.S. §9-802. (Police)

Assistant Police Chief Laura Liuzzo reported parking enforcement is important to the aesthetics of the community and is a concern for citizens. This ordinance will add a new City Code Section §71.16 PARKING VIOLATIONS that enables a default procedure to hold parking violators responsible. The City's current code is silent on this matter. Currently, if a violator chooses not to go to Court and be responsible, the citation is dismissed. The purpose of this ordinance is to require the owner of the vehicle to be held responsible and answer in Court for the parking violation. It also provides options to identify proper service; initial service is considered legal by attaching the parking violation to the vehicle (standard procedure in other cities that have parking ordinances) and a follow up service by issuance of a summons to the address on with file with ADOT if there is no response to the initial notice.

Councilor Selby asked what action would be taken if there is no response to the second notification and Chief Liuzzo responded that the citation will show up when the owner registers their vehicle. Councilor Selby then asked if that flagging would prevent the registered owner from registering the vehicle and Chief Liuzzo deferred to Court Services Director Rod Wettlin. Mr. Wettlin explained the process by which the owner would be in default and held accountable.

Vice Mayor Ramirez moved to approve Resolution R17-02-04 amending that certain document of the City Code titled "CHAPTER §71: TRAFFIC CONTROL, by adding Section §71.16 PARKING VIOLATIONS and declaring the Resolution and additional section included in Exhibit "A" as a public record for publishing; seconded by Councilor Delgado. Motion carried unanimously (7/0).

- C. Consideration and action to approve Ordinance O17-02-02 amending Chapter 71 by addition Section §71.16 PARKING VIOLATIONS, and adopting and making a part of the El Mirage City Code that certain document titled "Chapter 71: TRAFFIC CONTROL and declared to be a public record by reference in Resolution R17-02-04. (Police)

Chief Liuzzo stated this is the actual Ordinance for publishing by reference to the previously approved Resolution R-17-02-04.

Vice Mayor Ramirez moved to approve Ordinance O17-02-02 amending Chapter 71 by the addition of Section §71.16 PARKING VIOLATIONS, and adopting and making a part of the El Mirage City Code that certain documented titled "Chapter 71: TRAFFIC CONTROL and declared to be a public record by reference in Resolution R17-02-04; seconded by Councilor Delgado. Motion carried unanimously (7/0).

- D. Consideration and action to use a City of Peoria JOC with Felix Construction for improvement at the Reuse Station at the Wastewater Treatment Facility, in an amount not-to-exceed \$60,000. (Public Works)

Assistant Utilities Director Shane Swartwout explained that the purpose of a Reuse Station is to recirculate reclaimed water to the facility process equipment including the Centrifuge for primary sludge dewatering, to the belt press for secondary sludge dewatering moving it throughout the hoses in the facility, and finally to the irrigation system for facility landscape. This enables the use of reclaimed water instead of potable water. The proposed improvements will replace both outdated booster pumps with new, highly efficient, submersible pumps. New 6-inch pump sleeves will be constructed and new VFD control panels for each pump will be installed. Recommendations include upgrading the reuse station with new pumps and VFDs by utilizing the City of Peoria Job Order Contract with Felix Construction. The total cost of the project is \$60,000 which includes a \$3,850 contingency. This project was identified and approved as a Capital Budget item in the 2016/2017 fiscal year.

Councilor Delgado asked if employees need to wear face shields, rubber suits, and/or gloves with the new spray equipment or will they be isolated from the water coming back to hit them. Mr. Swartwout responded that this system is entirely enclosed in an underground vault, including the pumps, and nothing in the operation would affect staff.

Vice Mayor Ramirez asked the life span of this equipment and Mr. Swartwout answered a typical life span would be 15 years. Current equipment has now reached that age, there are not parts available for replacement, and it is currently not running efficiently. Vice Mayor Ramirez asked if the new pumps would improve quality of operation and Mr. Swartwout stated the new pumps have a higher capacity so there will be more pressure throughout the system, and they will, indeed, operate more efficiently.

Vice Mayor Ramirez moved to use a City of Peoria JOC with Felix Construction for improvement at the Reuse Station at the Wastewater Treatment Facility, in an amount not-to-exceed \$60,000; seconded by Councilor Delgado. Motion carried unanimously (7/0).

- E. Consideration and action to authorize City Manager to enter into custodial maintenance contract PW17-CM01 with Plan B Facility Services. (Public Works)

Management Administrator Nick Russo reported the current contractor under PW11-CM01 is responsible for the cleaning services at City Hall, the Police Station, the Fire Station, the Public Works offices, the Customer Service building, the Senior Center and the Court and the contract is set to expire February 28, 2017. On December 5, 2016, invitations for bids were released. On January 5, 2017, a pre-bid conference and site visits were held. At the January 12, 2017 bid opening, it was determined the lowest responsive and best bidder was Plan B Facility Services. This contract will take effect March 1, 2017 for a term of three years with two optional renewals.

Mayor Mook asked the representative from the proposed vendor, Plan B Services, with whom they had previously done business. The owner of the company stated they have been in business since 2010 and are currently with the City of Tempe, service Tempe Diablo Stadium, have multiple contracts with the City of Scottsdale, all of West World, and site operation for the airport for the City of Scottsdale. They also work with the State of Arizona through procurement, with the Department of Education, Department of Transportation and the City of Prescott. They are a diverse organization with contracts all over the State of Arizona, as far east as Winslow, and also in six other states and have grown with customers who were originally headquartered in Arizona. The owner stated he has been in the industry since 2001 and explained that he and a co-worker ventured into a partnership when an employer challenged them by stating "if you don't like what we do, go get a Plan B"; hence the reason they named their business Plan B Facility Services. They were originally located in Surprise and moved three years ago to Glendale.

Councilor Delgado asked Mr. Russo if any City employees would be impacted by hiring this company and was advised by Mr. Russo this action would not affect any full-time City employees.

Vice Mayor Ramirez moved to authorize the City Manager to enter into a custodial maintenance contract PW17-CM-01 with Plan B Facility Services; seconded by Councilor Palladino. Motion carried unanimously (7/0).

VI. CITY MANAGER SUMMARY OF CURRENT EVENTS

The City Council may not act upon any matter in the City Manager's summary but may have general comment or questions. Items to be discussed will include, but not be limited to, the following:

1. New Employees

Police Chief McDonald introduced Alexis Arce as the new Administrative Assistant Senior in the Investigations Section where she oversees incoming reports, makes assignments, and administers the Sex Offender program. She previously worked for Maricopa County, is married and has a 2-year-old daughter. Ms. Arce thanked the Council and department for the opportunity to work at the El Mirage Police Department.

Chief McDonald then introduced Brandon Clark as a new Police Officer who most recently worked for the Cottonwood Police Department until 2014 when his wife took a job in the Phoenix area. He graduated from Peoria High School and Glendale Community College with his law enforcement credentials and he is very interested in weight training and promoting physical fitness. Mr. Clark said he is blessed to be here and enjoying his 15-minute commute instead of his previous 1 ½ hour drive to work. He is looking forward to working and growing in this community.

Public Works Management Administrator Nick Russo introduced Scott Estavillo as the new Maintenance Worker I. Mr. Estavillo comes from a private sector pest control company. He is valley born and raised, graduated from Arizona Charter Academy with a Presidential Scholarship, married with four children ranging in age from 10 years to one month, and has been a great addition to the department. Mr. Estavillo thanked the Council and believes he is blessed to be working here. He informed the Council that his grandparents have lived in El Mirage since the 1960's and his mother was born in El Mirage. As a child he remembers going to the community pool and paying 25 cents for all day swimming. He feels he can be a great asset with the City and is impressed with all the positive changes he sees happening.

2. Car Show -- February 25, 2017

PR Manager Amber Wakeman invited everyone to the El Mirage Magnificent Motors in the Park! This 6th Annual Classic Car & Truck Show will be held Saturday, February 25th at Gentry Park from 9:00 am to 1:00 pm. Dozens of classic cars and hot rods will be on display with a Kids' Zone with bouncers, rides, face painting, DJ music, community market, food vendors and more... and it is all free. The car entry fee of \$10 includes plaques and division awards and there will be raffles for free Wal-Mart gift cards.

3. Lawsuit Dismissal

Dr. Isom reported the City of El Mirage was recently dismissed from a lengthy and complicated lawsuit that included five other West Valley cities. The City had an excellent attorney jointly representing City of El Mirage, City of Surprise, City of Litchfield Park, Town of Wickenburg and City of Globe and all have been dismissed from the case. Two large cities, Glendale and Phoenix, remain named in the suit and are represented separately. He reported that he, City Clerk Sharon Antes, and City Attorney Bob Hall were closely involved with the case that spanned nearly two years. In early December, Ms. Antes had her first opportunity to testify in a video-taped deposition, and he, too, was deposed. The City was just recently notified of being dismissed from the case. Particularly noteworthy is the fact that this particular case was not covered by the Risk Pool and could have had a significantly negative financial impact of just over \$5M. This is one of several pending lawsuits that have recently been settled and there remains one outstanding case that he hopes will be resolved in the near future.

Mayor Mook stated this dismissal is huge for the City. It was a huge case that involved many hours of staff time and she thanked Mr. Hall, Ms. Antes and Dr. Isom as well as the representative attorney for closing this case.

4. Police Dispatch

IT Director Tom Bacome reported it has taken seven months of planning to prepare for the transition of police dispatch services from City of Surprise to City of Tolleson. There were many project management meetings and a close relationship

was built with the Tolleson Police Department that resulted in a successful cutover at 6:00 a.m. on January 24th. In addition to a relatively smooth transition, officers are now linked to the City network system to be able to receive reports, as well as have access to their emails and internet in the field, which they did not have in the past.

Chief McDonald praised Support Services Manager Michael Ashley for overseeing the transition and who worked closely with Tom Bacome putting in many, many long hours. Technology improvements unavailable before will enhance the efficiency of police officers in the field. He is confident it will be a positive 10-year relationship with City of Tolleson.

Mr. Ashley thanked Chief McDonald for giving him the opportunity on this complex and challenging project. He thanked Tom Bacome and his staff for their assistance in the project and said Tolleson was a great city to work with. Mr. Bacome commended his staff, Jose Uribe, Pat Timlin and Vince Rostowsky for a job well done. This was a good team effort with the City of Surprise, the City of Tolleson and the City of El Mirage.

Councilor Delgado asked if the equipment owned by the City that was used by Surprise was returned and Mr. Ashley responded that it had been retrieved and commented that Surprise was a good partner, professional in the transition process, and there were no problems.

Dr. Isom thanked both IT and the Police Department for a phenomenal transition especially as it occurred at the same time as the City Hall move.

VII. MAYOR'S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS

The Mayor and City Council may not discuss or act upon any matter in the summary unless the specific matter is properly noticed for legal action.

Councilor Shapera stated the striping recently completed on 129th Avenue and Parque de Sol looks terrific and he believes it will slow down the traffic substantially.

Councilor Delgado reported the CDBG request of \$200,000 toward the replacement of a fire engine was awarded; the "A" Street project is on hold until further clarification of federal funding.

Vice Mayor Ramirez thanked all involved in obtaining the funds for the new fire truck and noted that Grants Writer Janeen Gaskins deserves a lot of the credit.

Councilor Jones stated the City is very fortunate to receive the CDBG award of \$200,000 and thanked Councilor Delgado and all staff involved. He also reported that he attended the City's first HOA Academy the previous night and thanked City Clerk Sharon Antes for organizing the Academy; he stated the turnout was excellent for the first session.

Councilor Selby stated he is pleased with the CDBG award and is happy to see "A" Street being addressed and remains hopeful for additional funding.

Mayor Mook thanked everyone for working together to achieve some of the recent successes stating everyone is pulling together for the good of the City.

VIII. ADJOURNMENT

Meeting was adjourned at 6:44 pm.




Lana Mook, Mayor

ATTEST:



Sharon Antes, City Clerk

I hereby certify the aforementioned minutes are a true and accurate record of the Regular El Mirage City Council Meeting held on Tuesday, February 7, 2017 and a quorum was present.



Sharon Antes, City Clerk